

CHAPTER 11 QUARTERLY DISBURSEMENT AND FEE REPORT

Information and Instructions

AUTHORITY: Chapter 11 quarterly fees are established by law as set forth at 28 U.S.C. 1930(a)(6), as amended. Consult your attorney if you are in doubt as to whether the quarterly fees apply in your case.

PENALTIES: Failure to pay the quarterly fee is cause for conversion or dismissal of your case under 11 U.S.C. 1112(b)(10). Filing a false report may subject you to civil liability under 31 U.S.C. 3729(a)(7), and to criminal penalties under 18 U.S.C. 1001 and 1621.

WHO MUST FILE: Every case pending under Chapter 11 of the Bankruptcy Code that is subject to 28 U.S.C. 1930(a)(6) must pay the quarterly fee. If a trustee has been appointed to serve in your case, give this report to the trustee to complete and submit. If your case is being jointly administered with another case or has been consolidated with another case for administrative purposes only, submit a separate quarterly report and fee for each case. If the court has ordered the case to be substantively consolidated (consolidated for all purposes), then only one report and fee are due for the quarter of filing. However, if substantive consolidation occurs during a quarter, the individual cases remain subject to the fee for that part of the quarter prior to the consolidation. Involuntary cases are not subject to the fee until relief is granted, and then the fee is payable retroactively to the filing date.

WHEN TO FILE: The report and fee are due on the last day of the calendar month following the calendar quarter for which the fee is owed starting with the quarter in which your case is commenced, and continuing until and including the quarter in which your case is dismissed or converted to another chapter. Effective 1/27/96, cases with confirmed plans are subject to quarterly fees until the case is dismissed, converted, or closed by the Court.

FEE CALCULATION: The fee due is based on disbursements made during the days of the quarter that the case is open. It is not prorated for a partial quarter. The minimum fee applies when there are no disbursements, and even if the case is open for only one day of the quarter. If your case was filed after the start of the quarter, include only the disbursements made since the filing date. If your case was closed before the end of the quarter, include only the disbursements made before the closing date. Use the following schedules to determine the Fee Due:

	Quarters 4th/86-3rd/91	Quarters 4th/91-3rd/96	Quarters 4th/96 +
<u>Disbursements</u>	<u>Fee Due</u>	<u>Fee Due</u>	<u>Fee Due</u>
0.00 to \$14,999.99	\$ 150	\$ 250	\$ 250
\$15,000 to \$74,999.99			\$ 500
\$15,000 to \$149,999.99	\$ 300	\$ 500	
\$75,000 to \$149,999.99			\$ 750
\$150,000 to \$299,999.99	\$ 750	\$ 1,250	
\$150,000 to \$224,999.99			\$ 1,250
\$225,000 to \$299,999.99			\$ 1,500
\$300,000 to \$2,999,999.99	\$ 2,250	\$ 3,750	
\$300,000 to \$999,999.99			\$ 3,750
\$1,000,000 to \$1,999,999.99			\$ 5,000
\$2,000,000 to \$2,999,999.99			\$ 7,500
\$3,000,000 or more	\$ 3,000	\$ 5,000	
\$3,000,000 to \$4,999,999.99			\$ 8,000
\$5,000,000 or more			\$ 10,000

QUARTERLY DISBURSEMENTS AND FEE REPORT FORM COMPLETION: Enter your Chapter 11 10-digit account number. The UST code is a 3-digit number (for example, Los Angeles is 732). If you do not know the UST code for your court, contact your local U.S. Trustee office. Enter the next 2 digits for the year your case was filed (1996 = 96). The last 5 digits are for the individual case number assigned by the court (add zeros in front if necessary to make a total of 5 digits; do not include any letters added to the number by the court). Enter the payment information on a separate line for each quarter for which a payment is enclosed. Do not write payment information regarding payments previously made. The total of the check(s) you are now sending must equal the total of what you have entered in the "payment enclosed" boxes.

SENDING YOUR PAYMENT: Make your check payable to: U.S. Trustee. Write your account number on the face of your check. Send only your payment and the Quarterly Disbursements and Fee Report form to: U.S. Trustee Payment Center, P. O. Box 198246, Atlanta, GA 30384. The payment center only deposits and credits your payment; it is not a U.S. Trustee office. If you are not sending a payment, or are sending other papers such as your monthly financial reports, send this material to your local U.S. Trustee office address.